

WP(C) 5364/2007
BEFORE
HON'BLR MR JUSTICE AMITAVA ROY

Heard Ms N.Saikia , learned counsel for the petitioner. Also heard Mr Khataniar, learned Standing counsel, Education Department.

This petition is being disposed of at the motion stage.

The petitioner, who is a Post Graduate in Assamese is presently serving as a Subject Teacher in the said subject against a non sanctioned post in Kayakuchi Higher Secondary school, District Barpeta. In response to an advertisement published on 3.6.2007 by the Director of Secondary Education, Assam to fill up amongst others a post of Subject Teacher in Assamese in the said school , along with others, the petitioner offered his candidature.

The petitioner is before this Court with the apprehension that though he is entitled to due weightage for his past experience in terms of Schedule III, Pt-B, Clause(vii) of the Assam Secondary Education(Provincialisation) Service Rules,1982 (hereinafter referred to as the 'Rules') and Rule 15 thereof, the respondent authorities may not extend the benefit thereof to him.

Ms Saikia reiterating the above has prayed for a direction to the respondent authorities to act in terms of the above provisions of the Rules while assessing the

suitability of the petitioner for appointment to the post involved.

Mr Khataniar does not dispute the applicability of the above provisions of the Rules.

In the above view of the matter, this petition stands closed with a direction that in assessing the suitability of the petitioner for the above post, the concerned authority would bear in mind his past experience as Subject Teacher in the aforementioned school and accord due weightage as contemplated in the above statutory provisions and take a decision accordingly. The petition stands disposed in the above terms. No costs.